

## **BOARD OF HEALTH**

### **Minutes**

September 25, 2008

Present: Sandy Sulsky, Ellen Pile, Nancy Gilbert, David Kaufman, MD, David Ahlfeld

Staff: Epi Bodhi

Other: Bob Stover, Sy Epstein, Alice Epstein, Simon Keochakian, Gregory Keochakian, Avril L. de la Cuetaz, Bill Cray, Jeffrey Bohen

#### **Meeting opened at 7:00 p.m.**

David Kaufman, MD was welcomed as the newest member of the Board of Health.

#### **I. Public Hearing – Well Regulations**

A public hearing was held to discuss and hear comments regarding the Board of Health proposed Well Regulations. Mr. Ahlfeld described input from Amherst Wastewater Treatment Facility Director Bob Pariseau, who wants to be sure private wells will not be connected to the public water system. Mr. Ahlfeld will incorporate comments submitted by Lyons Wittens, Chair of the Water Supply Protection Committee, into the proposed regulations to review at the next meeting. Ms. Sulsky pointed out our regulations exclude connecting to public water. At 7:20 p.m., there being no members of the public present, the Public Hearing was continued.

#### **II. Review & Receive**

##### **A. Meeting Minutes**

Meeting minutes from July 24, 2008-Accepted as written.

##### **B. Meeting Minutes**

Meeting minutes from August 14, 2008-Accepted as amended.

##### **C. Tobacco Control**

The North Central-Franklin County Tobacco Control Alliance conducted a youth access tobacco compliance check in Amherst on September 11, 2008. Of the 21 tobacco selling establishments in Amherst, two sold cigarettes to an underage youth. Ms. Bodhi will request a grid from Leominster regarding violations, and determine how many times a year the compliance checks are done. Ms. Pile suggested notification be sent to Cumberland Farms to inform them that subsequent violations may result in suspension of their license. Dr. Kaufman suggested requesting proof of policy training documents, as well as procedures followed to ensure staff complies with tobacco regulations.

### **III.**

#### **New Business**

##### **A. 2<sup>nd</sup> Variance Request for local Upgrade Approval: 37 Bay Road**

Seymour and Alice Epstein, Owners

Bob Stover, Amherst Civil Engineering

In August, the Board of Health approved a local upgrade variance request for 37 Bay Road; however, Mr. Stover has requested a revised variance to accommodate for the location of the septic system and leach field. A variance is still needed for a 4' water table separation. Ms. Pile moved the variance be granted. Ms. Gilbert seconded the motion.

Motion passed unanimously

### **IV.**

#### **Old Business**

##### **A. 28 Shay St. update-neighbor presentation**

Ms. Bodhi provided the Board of Health a summary of the updates provided by Ellen Bokina regarding 28 Shay Street. Neighbors of 28 Shay Street offered the following comments:

- People are living in the condemned house and children are on the property regularly.
- The notice of condemnation has been removed from the front door.
- Trash, with the exception of the trailer, remains on the property.

Ms. Pile would like to consult with Town Counsel to determine options available if Mr. Keenan does not meet the November 1, 2008 deadline. Ms. Bodhi will invite Town Counsel to the next Board of Health meeting which has been rescheduled to October 30, 2008 in order to accommodate the October 10<sup>th</sup> inspection and the October 20<sup>th</sup> court hearing. Ms. Gilbert made a motion to re-post the condemnation order, as well as send a letter in regards to the condemnation order which restates children should not be living on the property. Ms. Pile seconded the motion.

Passed unanimously

##### **B. Well Regulations**

This item was tabled until the next Board of Health meeting.

Mr. Ahlfeld will incorporate the editorial changes into the regulations for the October Board of Health meeting.

### **V.**

#### **Director's Reports**

##### **A. Public Health Nurse /Assistant Director**

Ms. Bodhi explained Julie Federman has resigned from her position as Public Health Nurse/Assistant Director. Her last day of employment with the Amherst Public Health Department will be October 3, 2008.

##### **B. E.coli/West Nile Virus**

Ms. Bodhi reported about two Public Health emergencies: one relating

to water quality and the presence of E. coli and Coliform; the second relating to West Nile Virus. Ms. Bodhi felt the emergencies provided a good opportunity to practice Emergency Management skills in cooperation with other Town Departments.

**C. Outside Wood Boilers**

Ms Bodhi explained DEP will not send a representative to speak with the Amherst Board of Health. Ms. Bodhi will contact Bob Saul, Chairman of the Agriculture Commission, to provide an update.

**VI. Schedule Next BOH Meeting/Agenda Closing Date**

A. Next meeting will be October 30<sup>th</sup> 2008.

Meeting Adjourned: 9:15 p.m.

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Epi Bodhi, Health Director  
**Approved: 10-30-08**